

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

ANNIE LOIS GRANT; QUENTIN T.
HOWELL; ELROY TOLBERT; TRIANA
ARNOLD JAMES; EUNICE SYKES;
ELBERT SOLOMON; DEXTER
WIMBISH; GARRETT REYNOLDS;
JACQUELINE FAYE ARBUTHNOT;
JACQUELYN BUSH; and MARY NELL
CONNER,

Plaintiffs,

v.

BRAD RAFFENSPERGER, in his official
capacity as the Georgia Secretary of State;
WILLIAM S. DUFFEY, JR., in his official
capacity as chair of the State Election
Board; MATTHEW MASHBURN, in his
official capacity as a member of the State
Election Board; SARA TINDALL
GHAZAL, in her official capacity as a
member of the State Election Board;
EDWARD LINDSEY, in his official
capacity as a member of the State Election
Board; and JANICE W. JOHNSTON, in
her official capacity as a member of the
State Election Board,

Defendants.

CIVIL ACTION FILE
NO. 1:22-CV-00122-SCJ

PLAINTIFFS' EXHIBIT LIST

Pursuant to the Court’s coordinated order of July 21, 2023, ECF No. 230, the *Grant* Plaintiffs respectfully submit the following list of exhibits in connection with the trial scheduled to commence on September 5, 2023.¹ Plaintiffs reserve the right to use exhibits listed by any other party to this action, as well as by the plaintiffs in the *Alpha Phi Alpha* or *Pendergrass* cases.²

Exhibit No.	Description	Docket No.	Will Use/May Use
1	Expert report of Blakeman B. Esselstyn dated December 5, 2022	ECF Nos. 191-1, 206-1	Will use
2	Expert report of Dr. Maxwell Palmer of Boston University dated December 12, 2022	ECF Nos. 191-2, 206-2	Will use
3	Supplemental expert report of Dr. Maxwell Palmer of Boston University dated December 22, 2022	ECF Nos. 191-3, 206-3	Will use
4	Expert report of Dr. Orville Vernon Burton of Clemson University, dated December 5, 2022	ECF Nos. 191-4, 206-4	Will use

¹ Plaintiffs provide this enumerated list with the understanding that all testimony and exhibits admitted during the coordinated preliminary injunction hearing will be incorporated in the trial record. *See* Fed. R. Civ. P. 65(a)(2) (“[E]vidence that is received on the motion and that would be admissible at trial becomes part of the trial record and need not be repeated at trial.”); *see also* ECF No. 229 at 87 n. 43 (citing Fed. R. Civ. P. 65(a)(2)).

² Exhibits 7–28 may also be used by the *Pendergrass* Plaintiffs.

Exhibit No.	Description	Docket No.	Will Use/May Use
5	Expert report of Dr. Loren Collingwood of the University of New Mexico dated December 12, 2022	ECF No. 191-5	Will use
6	Rebuttal report of Blakeman B. Esselstyn dated January 23, 2023	N/A	May use
7	U.S. Department of Justice letter from Assistant Attorney General William Bradford Reynolds to Attorney General Michael Bowers, dated February 11, 1982, publicly available at: https://www.justice.gov/sites/default/files/crt/legacy/2014/05/30/GA-1870.pdf .	ECF No. 191-13	May use
8	U.S. Department of Justice letter from Assistant Attorney General John R. Dunne to Senior Assistant Attorney General Mark H. Cohen dated March 20, 1992, publicly available at: https://www.justice.gov/sites/default/files/crt/legacy/2014/05/30/GA-2360.pdf	ECF No. 191-14	May use
9	<i>The Atlanta Journal-Constitution</i> article entitled “Douglas Leader’s Racial Comments Spark Calls That He Resign” dated September 30, 2016, publicly available at: https://www.ajc.com/news/local/douglas-leader-racial-comments-spark-calls-that-resign/AVjoe8BDCXLsut6OBpjIHI	ECF No. 191-15	May use

Exhibit No.	Description	Docket No.	Will Use/May Use
10	CNN article entitled “GOP Candidate’s Husband Shares Image Urging Voters to ‘Free the Black Slaves from the Democratic Plantation’” dated May 2, 2017, publicly available at: https://www.cnn.com/2017/05/02/politics/kfile-karen-handel-husband-tweet/index.html	ECF No. 191-16	May use
11	Appen Media Group article entitled “Roswell’s Wood Says ‘Ossoff’ Has Off-Puttingly Muslim Ring” dated March 15, 2017, publicly available at: https://www.appenmedia.com/opinion/columnists/roswell-s-wood-says-ossoff-has-off-puttingly-muslim-ring/article_729681a0-e082-5a2c-a639-9f15369a730a.html	ECF No. 191-17	May use
12	<i>The Atlanta Journal-Constitution</i> article entitled “Warring Republicans Try to Unite Against Ossoff in Georgia’s Sixth” dated April 15, 2017, publicly available at: https://www.ajc.com/blog/politics/warring-republicans-try-unite-against-ossoff-georgia-sixth/CJca8W1Alqeob6jvA8gB5H	ECF No. 191-18	May use
13	<i>The Atlanta Journal-Constitution</i> article entitled “Gwinnett Commissioner Calls John Lewis ‘a Racist Pig,’ Faces Backlash” dated January 16, 2017, publicly available at: https://www.ajc.com/news/gwinnett-commissioner-calls-john-lewis-racist-pig-faces-backlash/K2uAUZFikv57szlnpZilO	ECF No. 191-19	May use

Exhibit No.	Description	Docket No.	Will Use/May Use
14	<i>The Washington Post</i> article entitled “Racist ‘Magical Negro’ Robo-Call from ‘Oprah’ Targets Stacey Abrams in Georgia Governor’s Race” dated November 5, 2018, publicly available at: https://www.washingtonpost.com/politics/2018/11/04/racist-magical-negro-robo-call-oprah-targets-stacey-abrams-georgia-governors-race	ECF No. 191-20	May use
15	Slate article entitled “It Was Too Easy for Brian Kemp’s Last-Minute Dog Whistle About Stacey Abrams to Go Viral” dated November 6, 2018, publicly available at: https://slate.com/technology/2018/11/brian-kemp-stacey-abrams-dog-whistle-black-panthers-facebook.html	ECF No. 191-21	May use
16	<i>USA Today</i> article entitled “Georgia Gubernatorial Candidate Brian Kemp Suggests Truck Is for Rounding up ‘Illegals’” dated May 10, 2018, publicly available at: https://www.usatoday.com/story/news/nation/2018/05/10/brian-kemp-illegals-ad/600212002	ECF No. 191-22	May use
17	Salon article entitled “Kelly Loeffler’s New Facebook Ad Darkens Skin of Raphael Warnock, Her Black Opponent” dated January 4, 2021, publicly available at: https://www.salon.com/2021/01/04/kelly-loefflers-new-facebook-ad-darkens-skin-of-raphael-warnock-her-black-opponent	ECF No. 191-23	May use

Exhibit No.	Description	Docket No.	Will Use/May Use
18	ABC News article entitled “Perdue’s Campaign Deletes Ad That Enlarges Jewish Opponent’s Nose, Insists It Was Accident” dated July 28, 2020, publicly available at: https://abcnews.go.com/Politics/perdues-campaign-deletes-ad-enlarges-jewish-opponents-nose/story?id=72039950	ECF No. 191-24	May use
19	CNN article entitled “Georgia Republican Senator Willfully Mispronounces Kamala Harris’ Name at Trump Rally” dated October 17, 2020, publicly available at: https://www.cnn.com/2020/10/16/politics/david-perdue-kamala-harris/index.html	ECF No. 191-25	May use
20	<i>The Atlanta Journal-Constitution</i> article entitled “Crime Fears Emerge in Johns Creek, Sandy Springs Municipal Elections” dated October 26, 2021, publicly available at: https://www.ajc.com/neighborhoods/north-fulton/crime-fears-emerge-in-johns-creek-sandy-springs-municipal-elections/HAMJ4MEMVVA3BCYC36ZOGR3OKM	ECF No. 191-26	May use
21	Georgia Legislative Black Caucus website page entitled “2021-2022 GLBC Members” printed on January 3, 2022, publicly available at: https://gablackcaucus.org/members	ECF No. 20-37	May use

Exhibit No.	Description	Docket No.	Will Use/May Use
22	<i>Governing</i> article entitled “Blacks in State Legislatures: A State-by-State Map” dated January 13, 2021, publicly available at: https://www.governing.com/now/blacks-in-state-legislatures-a-state-by-state-map.html	ECF No. 20-38	May use
23	National Conference of State Legislatures article entitled “State Legislator Demographics” dated December 1, 2020, publicly available at: https://www.ncsl.org/research/about-state-legislatures/state-legislator-demographics.aspx	ECF No. 20-39	May use
24	National Governors Association website page entitled “Former Georgia Governors” printed on December 31, 2021, publicly available at: https://www.nga.org/former-governors/Georgia	ECF No. 20-40	May use
25	U.S. Senate website page entitled “States in the Senate Georgia Senators” printed on December 31, 2021, publicly available at: https://www.senate.gov/states/GA/senators.htm	ECF No. 20-42	May use
26	WUGA article entitled “Report Shows Black Georgians Were More Likely to Be Denied Unemployment Benefits” dated November 19, 2021, publicly available at: https://www.wuga.org/post/report-shows-black-georgians-were-more-likely-be-denied-unemployment-benefits	ECF No. 20-43	May use

Exhibit No.	Description	Docket No.	Will Use/May Use
27	Georgia House of Representatives final report of the House of Representatives Study Committee on Maternal Mortality dated 2019, publicly available at: https://www.house.ga.gov/Documents/CommitteeDocuments/2019/MaternalMortality/HR_589_Final_Report.pdf	ECF No. 20-44	May use
28	<i>The Atlanta Journal-Constitution</i> article entitled “Bill in Congress Could Bring Relief to Uninsured Georgians” dated December 1, 2021, publicly available at: https://www.ajc.com/life/health/bill-in-congress-could-bring-relief-to-uninsured-georgians/BQOWOU7O35FADAXG4LAL57YELQ	ECF No. 20-45	May use
29	Declaration of Annie Lois Grant dated January 13, 2022	ECF Nos. 20-5, 218-1	May use
30	Declaration of Quentin T. Howell dated January 12, 2022	ECF Nos. 20-6, 218-2	May use
31	Declaration of Elroy Tolbert dated January 11, 2022	ECF Nos. 20-7, 218-3	May use
32	Declaration of Triana Arnold James dated January 10, 2022	ECF Nos. 20-9, 218-4	May use
33	Declaration of Eunice Sykes dated January 12, 2022	ECF Nos. 20-10, 218-5	May use
34	Declaration of Elbert Solomon dated January 10, 2022	ECF Nos. 20-11, 218-6	May use
35	Declaration of Dexter Wimbish dated January 11, 2022	ECF No. 20-12, 218-7	May use

Exhibit No.	Description	Docket No.	Will Use/May Use
36	Declaration of Garrett Reynolds dated April 22, 2023	ECF No. 218-8	May use
37	Declaration of Jacqueline Faye Arbuthnot dated April 24, 2023	ECF No. 218-9	May use
38	Declaration of Jacquelyn Bush dated April 28, 2023	ECF No. 218-10	May use

[signature block on following page]

Dated: July 31, 2023

By: **Adam M. Sparks**

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Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing **PLAINTIFFS' EXHIBIT LIST** has been prepared in accordance with the font type and margin requirements of LR 5.1, N.D. Ga., using font type of Times New Roman and a point size of 14.

Dated: July 31, 2023

Adam M. Sparks

Adam M. Sparks

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that I have on this date caused to be electronically filed a copy of the foregoing **PLAINTIFFS' EXHIBIT LIST** with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to counsel of record.

Dated: July 31, 2023

Adam M. Sparks

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Counsel for Plaintiffs